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28 (63-65), 30 (67), 31 (68) and amended specification and claims 2-4 (39-41), 7 (44), 11-19 (48-56), 22 (59), 23 (60), 29 (66), 32 (69), 34-37 (71-74). No new matter has been entered. Accordingly, claims 2-9 (39-46), 11-25 (48-62), 29 (66) and 32-37 (69-74) remain under consideration in this application. Applicants respectfully request reconsideration of the Office action in view of the arguments set forth hereinbelow.

II. Oath/Declaration

The oath/declaration is stated to be defective "because [i]t does not identify the post office address of each inventor ... The post office address should include the ZIP Code designation."

Applicants respectfully submit that the post office addresses shown in the oath/declaration indicate everything that is necessary to deliver mail. In each of the three addresses shown, the ZIP Code is indicated (for example, D-65817 for the first inventor, where D, according to a European standard, stands for Germany). It is believed, therefore, that a new oath/declaration would not add anything absent from the current one.

III. Drawings

Drawings were objected since they did not show the armature being actuated by a magnetic leakage flux generated by the stator as recited in claim 7 (44), the steel cable pressed into a conical bore as recited in claim 26 (63), the expanding lock provided with a drawbar or a nipple as recited in claim 27 (64), and the O-ring as recited in claim 28 (65).

Applicants believe that that the armature is actuated by a magnetic leakage flux generated by the stator cannot be shown in the drawings. However, this feature was disclosed in the specification, as will be discussed hereinbelow.

Claims 26-28 (63-65) have been canceled.

On this basis, the objection is believed to be overcome, and applicants respectfully submit that it be withdrawn.

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As to the diagram showing the electromagnetic relations between the stator and the armature in energized and de-energized positions requested in the Office action, it has not been received from the inventors by the time of filing this response. The diagram will be directed to the USPTO immediately after it has been received.

IV. Specification

The abstract of the disclosure was requested to be corrected to exclude word "invention" in lines 1, 6. The abstract has been amended accordingly.

V. Claim Rejection under 35 U.S.C. § 112

Claim 7 (44) is rejected under 35 U.S.C. §112, first paragraph, as containing subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In claim 7 (44), the feature of the armature being actuated by a magnetic leakage flux generated by the stator is not described in specification or shown in the drawings in a way that one of ordinary skills in the art would understand how to make or use the invention.

Applicants respectfully submit that the feature was discussed in the specification (page 6, lines 13-16, and page 2, lines 1-2).

With this in view, it is believed that the 35 U.S.C. §112, first paragraph, rejection is not applicable to claim 7 (44), and applicants respectfully submit that it be withdrawn.

Applicants were requested to renumber the claims from 38-74 to 1-37, "since these are the claims that were ever provided in this application (Re Rule 1.26)". The Office action (Paper 11) refers to claims 1-37 though it uses the line count within the claims characteristic for claims 38-74 added in the preliminary amendment.

Applicants respectfully submit that the original application filed with the USPTO contained claims 1-37. Contemporaneously, the preliminary amendment was filed where claims 1-37 were canceled and claims 38-74 were added instead. Applicants believe that

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renumbering the claims 38-74 back to 1-37, claims 38-74 being not identical to 1-37, would be against the rule imposed by 37 CFR 1.126 that reads that "[w]hen claims are added, they must be numbered by the applicant consecutively beginning with the number next following the highest numbered claim previously presented (whether entered or not)."

However, to avoid misinterpreting in considering the current response, both new numbers (in parentheses) and the original numbers used in the Office action are given.

Claims 1-37 (38-74) were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which applicants regard as the invention. Specifically, a list of informalities to be rectified was set forth in the Office action. All the informalities have been addressed, and claims 2-4 (39-41), 7 (44), 11-14 (48-51), 16 (53), 17-19 (54-56), 22 (59), 29 (66), and 34-36 (71-73) remaining under consideration have been amended accordingly.

Claim 9 (46) has been remained unchanged since "the spindle" in this claim has antecedent basis in claim 2 (39), from which claim 9 (46) is dependent.

In claim 15 (52), "the form" has not been found.

In claim 18 (55) "an end" has been remained unchanged as having no antecedent basis.

In claim 35 (72) "the planet wheels" and "the housing" have been remained unchanged as having antecedent basis in claim 34 (71), from which claim 35 (72) is dependent.

With regard to the above, it is believed that the 35 U.S.C. § 112, second paragraph, rejection is overcome, and applicants respectfully submit that it be withdrawn.

VI. Claim Rejections under 35 U.S.C. § 102

Claims 1-9, 30, 31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Korthaus et al. (GB 1,027,600).

Claims 1 (38), 30 (67) and 31 (68) have been canceled. Claim 2 (39), as

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amended, has a limitation of a spindle nut of a spindle drive being placed inside the rotor. This limitation is neither disclosed nor shown in Korthhaus et al. On this basis, it is believed that the 35 U.S.C. §102(b) rejection is not applicable to claim 2 (39), as amended, and applicants respectfully submit that it be withdrawn.

Also, Korthhaus et al. do not suggest the desirability of this type of modification of their invention, and it is believed, for that reason, that a 35 U.S.C. §103 rejection would be inapplicable to claim 2 (39), as amended.

With the above in view, applicants believe that claim 2 (39), as amended, is allowable. Claims 3-9 (40-46) are believed to be allowable as directly or indirectly dependent from allowable base claim 2 (39).

VII. Claim Rejections under 35 U.S.C. § 103

Claims 23, 24 and 37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Korthhaus et al. in view of Newstead (US 3,762,510) and Kazunishi (US 4,541,303). The Office action asserts that "Newstead discloses a sheathed cable line 11 arranged between the power transmission element and the expanding lock 15 for the purpose of activating two brake shoes of a drum brake.

Applicants respectfully disagree.

Contrary to the above Office action assertion, the brakes in Newstead are actuated by any suitable form of actuator (column 1 of Newstead, lines 44, 45), whereas a sheathed cable 11 transmits brake shoe movements to the abutment assembly from a suitable transmitter, which transmits a distinct signal upon each brake shoe movement (column 1, lines 45-48). Thus, Newstead cannot provide any motivation for those skilled in the art to use what Newstead teaches regarding a sheathed cable in Korthhaus et al. for the purpose of activating two brake shoes of a drum brake. For that reason, neither Korthhaus et al, nor Newstead separately, nor a combination thereof comes up with the applicants' invention, as claimed in amended claims 23 (60) and 37 (74).

Similarly, Kazunishi does not provide any motivation for those skilled in the art to use what Kazunishi teaches of a flexible coaxial pushpull cable with a strand steel core

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and a plastic sheathing in Korthhaus et al. for the purpose of activating two brake shoes of a drum brake. For that reason, neither Korthhaus et al, nor Kazunishi separately, nor a combination thereof comes up with the applicants' invention, as claimed in amended claims 23 (60) and 37 (74).

Having regard to the above, applicants believe that the 35 U.S.C. §103 rejection of claims 23 (60) and 37 (74), as amended, is overcome and respectfully submit that the rejection be withdrawn and these claims be allowed. Claims 24 (61), 25 (62), and 29 (66), as amended, are believed to be allowable as dependent from the allowable base claim 23 (60).

VIII. Allowable subject matter

Claims 11-22, 28, 29, 32-36 were stated to be allowable if rewritten to overcome the 35 U.S.C. §112, second paragraph, rejection and to include all of the limitations of the base claim and any intervening claims.

Claims 11 (48) and 12 (49) are believed to be allowable as indirectly dependent from allowable base claim 2 (39).

Claims 13 (50), 17 (54), and 18 (55) have been rewritten to include all of the limitations of the canceled base claim 1 (38). Claims 14-16 (51-53) and 19-22 (56-59) are believed to be allowable as directly dependent from allowable base claims 13 (50) and 18 (55), respectively.

Claim 28 (65) has been canceled, and claim 29 (66), which has been rewritten to include all of the limitations of intervening claim 28 (65), is believed to be allowable as dependent from allowable base claim 23 (60).

Claims 32 (69) and 36 (73) have been rewritten to include all of the limitations of the canceled base claim 1 (38). Claims 33-35 (70-72) are believed to be allowable as directly or indirectly dependent from allowable base claim 32 (69).

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IX. Conclusion

All the above considered, it is believed that the application is now in the condition of allowance and this favorable action is respectfully solicited.

A one-month extension of time for submitting the present response is hereby respectfully requested, and account 18-0013 can be addressed for withdrawing funds therefor.

Respectfully submitted,

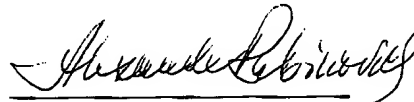
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CERTIFICATE OF FACSIMILE TRANSMITTING

I hereby certify that the enclosed Amendment is being facsimile transmitted at (703) 308-5841 addressed to Assistant Director for Patents on this 25th day of September 2000.



Alexander D. Rabinovich

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